

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of

Biennial Regulatory Review -- Amendment)
of Parts 0, 1, 13, 22, 24, 26, 27, 80, 87,)
90, 95, 97, and 101 of the Commission's)
Rules to Facilitate the Development and)
Use of the Universal Licensing System in)
the Wireless Telecommunications Services)
Amendment of the Amateur Service Rules)
to Authorize Visiting Foreign Amateur)
Operators to Operate Stations in the)
United States)

WT Docket No. 98-20

WT Docket No. 96-188

RM-8677

To: The Commission

REPLY COMMENTS

Pursuant to Section 1.429 of the Commission's Rules,¹ the National Spectrum Managers Association ("NSMA"),² by its attorneys, hereby submits this Reply to the comments filed by WinStar Communications, Inc. ("WinStar") in the above-captioned rulemaking proceeding.³

¹47 C.F.R. § 1.429 (1999).

²The NSMA, established in 1984, is a voluntary association of individuals involved in the frequency coordination for fixed terrestrial point-to-point microwave service ("FS"), PCS and satellite earth stations. NSMA supplements the Commission's coordination rules with procedural and technical recommendations developed in an open industry forum of coordinators, licensees and manufacturers. The NSMA's objective is to make the frequency coordination process more efficient and effective.

³The Report and Order was released by the Commission on October 21, 1998, and it was published in the Federal Register on December 14, 1998. 63 FR 68903 (Dec. 14, 1998). NSMA filed a Petition for Reconsideration ("Petition") and a Petition for Interim Relief on January 13, 1999. WinStar filed comments ("WinStar Comments") on February 24, 1999,

In its Petition, NSMA urged the Commission to require frequency coordination for all technical changes by Part 101 applicants and licensees, regardless of whether the amendment or modification is classified as “major” or “minor” for filing purposes.⁴ NSMA continues to be concerned that some minor technical changes by path-specific licensees governed by Part 101 will cause significant interference.⁵ For example, a change of one second in latitude or longitude could have a substantial impact on the interference environment where a short microwave path or close proximity to another station is involved.⁶

However, NSMA wishes to clarify that its concerns are inapplicable to Part 101 authorizations licensed on an area-wide basis, such as in the local multipoint distribution service and the 38.6-40.0 GHz band. Because such authorizations are licensed as exclusive geographic areas, such as Basic Trading Areas or geographic areas defined by the licensee, minor technical changes within these exclusive areas will not affect other licensees. Accordingly, NSMA agrees with WinStar that the Commission should carve out a specific exception to any requirement for prior coordination of minor technical changes by Part 101 licensees.⁷

In addition, NSMA urged the Commission to clarify that all affected parties must

generally supporting NSMA’s Petition.

⁴Petition at 5.

⁵Id. at 6.

⁶Id.

⁷WinStar Comments at 4.

be notified of Part 101 minor technical changes, not just those entities with whom an entity normally engages in prior coordination.⁸ NSMA continues to believe that notification of all potentially-affected parties is necessary for path-specific services in order to prevent interference problems. However, for the reasons set forth above, the Commission should create an exception to this requirement for geographic licensees.⁹

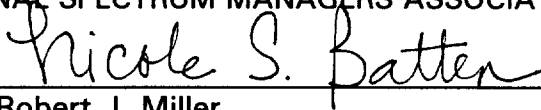
CONCLUSION

For the foregoing reasons, NSMA respectfully urges the Commission to take the actions outlined herein.

Respectfully submitted,

NATIONAL SPECTRUM MANAGERS ASSOCIATION

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March 5, 1999

⁸Petition at 8.


⁹WinStar Comments at 4.

CERTIFICATE OF SERVICE

I, Deborah Mashburn, hereby certify that a true and correct copy of the foregoing Reply Comments was sent this 5th day of March, 1999, via first class mail, postage prepaid, to the following:

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March 5, 1999


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